IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 6868 OF 1988

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the Civil Judge?

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KAMDAR CEMENTS LTD. - Petitioner(s)
Versus
UNION OF INDIA & ANR. - Respondent(s)

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Appearance :
MR. D.D. VAIDYA for MR. N.D. NANAVATI for Petitioner(s).
NONE for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG
and
HONOURABLE MR.JUSTICE M.R. SHAH

Date : 22/06/2006

ORAL JUDGMENT
(Per : HONOURABLE MR.JUSTICE R.S.GARG)

Mr.D.D.Vaidya, learned Counsel for the petitioners, prays for time to seek instructions in the

matter, but, after going through the records and the grounds raised in the Writ Application, we are of the opinion that the controversy raised in the matter is fully covered by a judgement of the Supreme Court in the matter of ***Dalmia Cement (Bharat) Ltd. & Anr. vs. Union of India & Ors.***, (***1996) 10 SCC 104,*** wherein constitutional validity of Sections 3, 4 and 5 of the Jute Packaging Material (Compulsory Use in Packing Commodities) Act, 1987 was upheld.

In view of the said judgement, nothing further is required to be done in the matter. We reject the prayer for adjournment and dismiss the petition. Rule is discharged. No costs.

[***R.S.Garg, J.***]

[***M. R. Shah, J.***]

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